

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	
)	
V.)	Criminal No. 18-292
)	
ROBERT BOWERS)	

MOTION TO EXTEND THE TIME FOR FILING PRETRIAL MOTIONS

AND NOW, comes the defendant, Robert Bowers, through his counsel, First Assistant Federal Public Defender Michael J. Novara and Assistant Public Defender Elisa A. Long, and respectfully moves this Honorable Court for an extension of time to file pretrial motions. In support thereof counsel states as follows:

1. On November 1, 2018, Robert Bowers was arraigned on an Indictment alleging violations of Title 18 U.S.C. §§247(a)(2) and 247(d)(1); Title 18 U.S.C. §924(c)(1)(A)(iii) and 924(j)(i); Title 18 U.S.C. §§247(a)(2), 247(d)(1) and 247(d)(3); Title 18 U.S.C. §§ 247(a)(2), 247(d)(1) and 247(d)(3); Title 18 U.S.C. §924(c)(1)(A)(iii).

2. Pursuant to Local Criminal Rule 12, and prior Order of Court, certain types of pretrial motions are due on or before December 18, 2018.

3. Additional time is needed to complete the investigation of the facts and law before informed decisions can be made concerning the filing of pretrial motions.

4. Accordingly, counsel for Mr. Bowers hereby moves this Court for an extension of time of 120 days within which to file pretrial motions. Such an extension of time will result in a new due date of April 17, 2019.

5. Due to the nature of the prosecution, Mr. Bowers asserts that this case should be deemed a "complex" one within the meaning of the Speedy Trial Act, 18 U.S.C § 3161 (h)(7)(B)(ii). In addition, Mr. Bowers asserts that the failure to grant this continuance request "would deny counsel for the defendant ... the reasonable time necessary for effective preparation, taking into account the exercise of due diligence." Id. at (h)(7)(B)(iv).

6. The United States, through Assistant United States Attorneys Soo Song and Troy Rivetti, does not oppose the granting of this motion.

WHEREFORE, Mr. Bowers requests that the deadline for filing pretrial motions be extended for 120 days from December 18, 2018 to April 17, 2019.

Respectfully submitted,

s/ Michael J. Novara

Michael J. Novara
First Assistant Federal Public Defender
Attorney I.D. No. 66434

s/ Elisa A. Long

Elisa A. Long
Assistant Federal Public Defender
Attorney I.D. No. 79723

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ORDER OF COURT

AND NOW, to-wit, this _____ day of December, 2018, upon consideration of the within Motion to Extend the Time for Filing Pretrial Motions, it is hereby ORDERED, ADJUDGED AND DECREED that said motion be and the same hereby is, GRANTED;

IT IS FURTHER ORDERED that the delay resulting from this extension of time (December 18, 2018 through April 17, 2019) be deemed excludable delay under the Speedy Trial Act 18 U.S.C. §3161 et seq. For the reasons stated in defendant's motion, the court finds that the ends of justice served by granting this continuance outweigh the best interest of the public and the defendant to a speedy trial, 18 U.S.C. § 3161(h)(7)(A). Specifically, the court finds that this continuance is justified given the complexity of the case, 18 U.S.C. § 3161(h)(7)(A) and (B)(ii), and that the failure to grant such continuance would deny counsel for the defendant

reasonable time necessary for effective preparation, taking into account the exercise of due diligence, 18 U.S.C.

§3161(h)(7)(B)(iv).

IT IS FURTHER ORDERED that any pretrial motions referred to in Local Criminal Rule 12 are due on or before April 17, 2019.

Donetta W. Ambrose
Senior United States District Judge